

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE**

CHILDREN'S HEALTH DEFENSE, et al.,

Case No. 1:21-cv-00200

Plaintiffs,

V.

FOOD & DRUG ADMINISTRATION, et al.,

## Defendants

**DECLARATION OF ROBERT E. BARNES, ESQ., IN SUPPORT OF PLAINTIFFS' *EX PARTE* APPLICATION TO ISSUE AN ORDER STAYING THE FOOD and DRUG ADMINISTRATION'S BIOLOGIC LICENSE FOR THE PFIZER COMIRNATY COVID-19 VACCINE [5 U.S.C. §705]**

[Ex Parte Application and Motion For Stay Order filed concurrently]

BARNES LAW  
Derek A. Jordan (Tenn. Bar No. 34299)  
700 South Flower Street, Suite 1000  
Los Angeles, CA 90017  
Tel: (310) 510-6211  
Email: [derekjordan@barneslawllp.com](mailto:derekjordan@barneslawllp.com)

Attorneys for Plaintiffs CHILDREN'S HEALTH DEFENSE and AMY MILLER.

1 I, ROBERT E. BARNES, Esq., hereby declare as follows:

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3 1. I am an attorney, duly licensed to practice law in the State of Tennessee. I am the principal  
4 of Barnes Law, and plaintiffs Children's Health Defense and Amy Miller are my clients  
5 ("Plaintiff"). I make this declaration in support of Plaintiffs' *Ex Parte* Application To Issue  
6 An order Staying The Food and Drug Administration's Biologic License For The Pfizer  
7 Comirnaty COVID-19 Vaccine (the "Application").

8 2. The facts stated herein are within my personal knowledge and if called upon to testify, I can  
9 truthfully and competently do so as to all matters herein.

10 3. On August 31, 2021, the complaint in this action was filed.

11 4. On September 3, 2021, Plaintiffs filed a request for the clerk of this Court to issue a  
12 summons for service.

13 5. On September 7 and 8, 2021, Plaintiffs had the summons and complaint in this action served  
14 upon the Defendants pursuant to FRCP 4(i).

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16 I declare under penalty of perjury that the foregoing is true and correct. Executed this 9<sup>th</sup>  
17 day of September, 2021, in Las Vegas, Nevada.

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20 Robert E. Barnes, Esq.  
21 Declarant

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UNITED STATES DISTRICT COURT  
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CHILDREN'S HEALTH DEFENSE, et al,

Plaintiffs,

v.

FOOD & DRUG ADMINISTRATION, et al.

Defendants.

Case No.: 1:21-cv-00200

**CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED THAT:

I, Robert Holzinger, am a citizen of the United States and am at least 18 years of age. My business address is 700 South Flower Street, Suite 1000, Los Angeles, California 90017.

I am not a party to the above titled action. I have caused service of "**Declaration of Robert E. Barnes, Esq., In Support of Plaintiffs' *Ex Parte* Application To Issue An Order Staying The Food and Drug Administration's Biologic License For the Pfizer Comirnaty COVID-19 Vaccine [5 U.S.C. § 705]**" on the following party(ies) by filing with the Clerk of the Court using the CM/ECF system, and that a courtesy copy was forwarded by mail to the following defendant parties:

Food & Drug Administration  
c/o U.S. Attorney's Office  
1110 Market Street, Suite 515  
Chattanooga, TN 37402

Food & Drug Administration  
c/o U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Janet Woodcock,  
acting commissioner of Food & Drugs  
Food & Drug Administration  
10903 New Hampshire Avenue  
Silver Spring, MD 20993

I declare under penalty of perjury that the foregoing is true and correct. Executed  
on September 9, 2021.

/s/ Robert Holzinger